

# THE ALLIANCE

A Maricopa County Environmental Health Publication

## *From the Desk of David Ludwig*



### **Maricopa County Environmental Services and the Smoke Free Arizona Connection**

There should be a Law about that!! Have you ever caught yourself saying that? I for one, can say I have. But how are new laws created, and then who goes about implementing them?

The Smoke Free Arizona Act was created through a voter's referendum (Proposition 210), whereby eliminating smoking in most indoor public places. There are a number of challenges that have been addressed by ADHS (Arizona Department of Health Services) and the Counties who they have delegated responsibilities to. Maricopa County has taken on a part of the delegation agreement, accepting the responsibility of responding to citizen complaints and documenting violations. We also work with the industry to gain compliance in meeting the letter of the law. Maricopa County did not take on the responsibility of enforcing the

Act which could result in court cases and fines. ADHS is responsible for enforcement here in Maricopa County.

As of June 15<sup>th</sup> (1½ months into the requirement) we have received 1,033 complaints with 529 of them being related to food businesses and 494 at other non-permitted places of work throughout the county. Actually, these numbers are higher than they seem because multiple complaints have been filed by citizens on the same location (50+ on just one operation). This response and our verifying compliance during routine inspections is being paid for by a 2 cent smoking tax on smoking products, so no food service fees are being spent on this program.

With this Act, the number of patio permits are on the rise and rightfully so as operators are looking to accommodate their smoking customers while abiding by the new law. The patio remodels do require a minor remodel permit through our Plan Review program. You can check out our plan review requirements on our website at <http://www.maricopa.gov/envsvc/ENVH/TH/planrev.asp>

I am encouraged by the compliance rates at the almost 19,000 food related permitted businesses. Unfortunately, a handful of individuals have been monopolizing the press when an overwhelming majority of operators are in compliance and do not receive the recognition you rightfully deserve. I have found that the State's website is very helpful if you have question concerning the Act or want to make a complaint (we don't need any more work!) <http://www.smokefreearizona.org/>

There should be a Law about that!

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## Inside this issue:

New Permit Fee Information	Page 2-4
Food Borne Illness Risks	Page 4-5
FDA ALERT Information	Page 6-7

# Environmental Health Fees Approved

**By: Bryan Hare, M.M., R.S.**

The Board of Supervisors approved a new Maricopa County Environmental Health Code fee schedule. This schedule became effective on July 21, 2006; thirty days after the Board of Supervisors approved the agenda item. This was the first fee schedule change in 10 years in the area of Food related fees. These permit fee increases were essential for the Department to continue to provide the public and our customers the inspection and educational services that are delegated to the Department. Two public meetings were advertised and held in addition to two arranged meetings with our industry partners earlier in the year to explain the methodology used to determine the new fees.

The new fee schedule does have substantial increases to many of the permit fees. In addition, the majority of the fees change from a two-year to a one-year permit fee. During the public comment period, representatives of the food service industry, especially the Arizona Restaurant Association and Food Marketing Association, suggested that the new permit fees be phased in over a period of time and that Maricopa County's general fund (i.e. tax revenue, etc.) be used to help subsidize the shortfall from a phased in approach. On June 20, 2006, the Maricopa County Board of Supervisor's voted to approve the fee schedule with a three year phase in on all food related fees.

If an establishment received their permit from the Department before July 21, 2006, your permit will be valid until the expiration date. Any permits obtained after July 21, 2006 will be subject to the new fee schedule listed in the Maricopa County Environmental Health Code, Chapter I. The fee schedule for FY2007 can be viewed on the next two pages and all fee schedules can be found on our website at [www.maricopa.gov/envsvcs](http://www.maricopa.gov/envsvcs).



## MARICOPA COUNTY HEALTH CODE

### Food Facility Operating Permit Fee Schedule - Effective July 21, 2007

#### Permits, Inspections

Required Permit	Permit Subtype	1 Yr. Fee
Adventure Food Service	Class 4	\$190.00
Bakery	Class 2	\$275.00
Bakery (School)	Class 2	\$170.00
Boarding Home	Class 2	\$325.00
Boarding Home	Class 5	\$895.00
Bottled Water and Beverage Plants	Class 2	\$355.00
Damaged Food	Class 4	\$580.00
Daycare Foodservice	Class 3	\$305.00
E&D 0-9 Seating	Class 2	\$220.00
E&D 0-9 Seating	Class 3	\$350.00
E&D 0-9 Seating	Class 4	\$510.00
E&D 0-9 Seating	Class 5	\$645.00
E&D Adult Daycare	Class 3	\$335.00
E&D Assisted Living	Class 5	\$595.00
E&D Hospital Food Service	Class 5	\$895.00
E&D Jail Food Service	Class 5	\$1,970.00
E&D Nursing Home	Class 5	\$615.00
E&D School Foodservice	Class 2	\$275.00
E&D School Foodservice	Class 3	\$430.00
E&D School Foodservice	Class 4	\$575.00
E&D Senior Food Service	Class 3	\$385.00
E&D Service Kitchen	Class 2	\$175.00
E&D 10+ Seating	Class 2	\$295.00
E&D 10+ Seating	Class 3	\$520.00
E&D 10+ Seating	Class 4	\$775.00
E&D 10+ Seating	Class 5	\$765.00
Food Bank	Class 2	\$205.00
Food Catering	Class 5	\$415.00
School Food Catering	Class 5	\$455.00
Food Jobber	Class 2	\$220.00
Food Jobber School	Class 2	\$220.00
Food Peddler	Class 2	\$120.00
Food Processor	Class 2	\$235.00
Food Processor	Class 4	\$525.00
Food Processor School	Class 2	\$200.00
Food Processor School	Class 4	\$450.00
Ice Manufacturing	Class 2	\$175.00
Itinerant (Temporary)		Application received 7 days prior to Event: \$75.00 Application received < 7 days prior to Event: \$105.00
Meat Market	Class 4	\$470.00
Miscellaneous Food	Class 1	\$95.00
Mobile Food Unit	Class 4	\$385.00
Pushcart	Class 3	\$195.00
Refrigerated Warehouse/Locker	Class 2	\$265.00
Retail Food Establishment	Class 3	\$385.00
Retail Food Establishment	Class 2	\$205.00

## Permit Fee Schedule, Continued

Required Permit	Permit Subtype	1 Yr. Fee
Seasonal Food Establishment	Class 2	\$150.00
Vending Machine	Class 2	\$220.00
Liquor License		\$45.00
Commissary	Class 2	\$1,020.00
Commissary	Class 4	\$1,540.00
Variance	Mobile Food Establishments	\$255.00
Bare Hands Contact Exemption		\$245.00
Variance	Eating and Drinking	\$90.00
Inspection upon Request	Eating and Drinking	\$240.00

### Food borne Illness Outbreak! Your Greatest Risk in Food Safety – Sick Food Workers

By: Amanda Ballengee, R.S. and Sabine Walker, M.S., R.S.

As the owner or manager of a food service establishment you are responsible for ensuring the safety of the food served at your establishment. There are temperatures to check, wiping cloth buckets to measure, employees to monitor for proper hand washing and glove usage, etc. One item you may have not put much thought into, however, is the tremendous risk posed by food service employees who report to work when sick. Before you allow another day to go by without an employee illness policy in place, or before you insist a reportedly ill employee report to work, please take the time to read this information and understand the risks to your job, your business and your customers if your establishment is implicated in a food borne illness outbreak.

The most frequent cause of outbreaks of food borne illness is due to food workers or managers who come to work when ill. There have been numerous outbreaks right here in Maricopa County which have been linked to ill food handlers. An outbreak of norovirus, a very common and extremely infectious virus which causes vomiting, diarrhea and stomach cramps, occurred in 2005 and resulted in at least 92 cases of illness, 8 individuals hospitalized and sadly, one death. This outbreak was believed to have originated with an employee who worked while ill. The illness quickly spread to other members of the restaurant staff and subsequently to the customers. In order to bring an end to the spread of illness the restaurant had to close for a weekend in order to perform a complete cleaning and decontamination of the facility. The loss to the business, as well as the personal and financial costs of those individuals affected was substantial. An outbreak of Shigella, a bacterial infection of the small intestine and colon which can cause cramps, fever and bloody diarrhea, took place in 2006. Although only 9 cases of illness were reported (the actual number of individuals affected is often much higher than the number reported, as frequently many persons do not report their illness or seek medical attention) 3 of the affected individuals were hospitalized and suffered severe and prolonged illness. This outbreak received a significant amount of news media attention and the restaurant subsequently reported a near 70% decline in business which persisted for several months following this outbreak.

#### How Illness Spreads

Most of the gastrointestinal illnesses which may be spread from an ill employee to others, either through food or objects such as plates and glasses, are spread via the hands. Many of the food borne pathogens are spread via the fecal-oral route. An ill individual will shed bacteria or virus in their stool, fail to thoroughly and carefully wash their hands after using the restroom, and unwittingly this person will contaminate things they touch, including food, wares and single service items. If customers consume this contaminated food or handle these contaminated items and subsequently touch their mouths, they too may be infected. Proper and thorough hand washing, using soap, warm water and vigorous scrubbing of the hands and arms for at least 20 seconds is critical. Using gloves and utensils when handling foods may aid in reducing the risk, however, use of these barriers is **NEVER** a substitute for good hand washing.

## Food borne Illness Outbreak!, Continued

### Have a Policy

One of the first important steps you can take to help prevent your employees from coming to work when ill, and possibly causing a food borne illness outbreak, is to have an employee illness policy in place. While having a written employee illness policy is not currently required by the Maricopa County Food Code, having a clear, easy to understand policy which employees may read and sign off on, is recommended. The Maricopa County Health Code states, "The permit holder shall require food employees to report to the person in charge, information about their health and activities as they relate to diseases that are transmissible through food" (2-201.11). The Health Code further states that four diagnosed illnesses, or the "Big Four", which are highly transmissible through food, must be immediately reported and the employee excluded from working.

The "**Big Four**" include:

- *Salmonella typhi*
- *Shigella spp.*
- *Escherichia coli* 0157:H7
- Hepatitis A virus

An employee diagnosed with one of the above illnesses must receive physician approval prior to returning to work. Specific symptoms which are associated with an acute gastrointestinal illness must also be reported to the person in charge and the employee restricted or excluded to prevent transmission of a possible communicable illness.

These symptoms include:

- Diarrhea
- Fever
- Vomiting
- Jaundice
- Sore throat with fever

Typically an employee may return to work when these symptoms resolve (the employee is no longer experiencing these symptoms). However, extra care must be taken when a recently ill employee returns to work. Individuals may continue to shed the pathogen in their stool for several days, even after they are no longer ill themselves. Many health departments require an employee who has had vomiting and/or diarrhea to remain home until 48 to 72 hours AFTER their symptoms go away. While this is not currently required in Maricopa County, you should at the very least ensure the employee is extremely vigilant in their hand washing and, if possible, limit the employee's food handling duties in the first few days they return to work.

Another item required to be reported by an employee to the person in charge is the presence of any lesions such as an infected wounds, burns, cuts, boils, and pimples on the hands or arms which may contain pus and which are open and/or draining. *Staphylococcus aureus* bacteria are often found in large quantities in such lesions and can be transmitted to the food. Any lesions must be covered with an impermeable cover such as a finger cot or stall which protects the lesion and a single use glove must be worn over this cover. An employee with such a lesion which can not be appropriately covered must not be allowed to work with food or food contact surfaces. It is important the owner or manager maintain the necessary supplies, such as water-proof bandages, finger cots, and gloves available. This will allow an employee to continue to safely work with food in these situations.

### The Three Methods of Prevention

Simply excluding an obviously ill employee from your operation does not always eliminate the problem. On occasions individuals may be ill, and able to spread their illness, but they show no symptoms of the disease. These individuals are called carriers. One quite infamous carrier in food service history is "Typhoid Mary". Mary Mallon was a cook in New York in the early 1900's. She was linked to spreading typhoid fever, which is caused by the bacteria *Salmonella typhi*, to more than 200 individuals resulting in 50 deaths. Mary was a carrier of this bacterial infection, and could spread it to others, yet she did not show any symptoms. With other diseases such as Hepatitis A, the illness can be transmitted to others BEFORE the individual even shows symptoms. For these reasons, several measures of protection are necessary. The first measure is to restrict or exclude ill employees from food handling. The second measure is to ensure employees are properly washing hands frequently, especially after using the restroom. The third measure of protection is to eliminate bare hand contact with food items through use of barriers such gloves, utensils, deli paper, etc. This is especially critical when handling ready to eat foods which will not undergo heating or other processing which helps to destroy bacteria or virus particles.

Please take the time to talk to your employees about the importance of reporting symptoms of illness to you or the designated person in charge. Although missing a day or more of work may result in a lost wages for the employee or a short handed crew for the manager, the possible consequences of allowing a food handler to work while ill is too great to take this risk.

If you have questions or would like assistance in drafting and implementing an employee illness policy, please talk with your Environmental Health Specialist or contact Foodborne Illness Program Coordinator Amanda Ballengee at (602) 506-6982. The above information is not intended to be all inclusive of the requirements of the Maricopa County Food Code in relation to this topic. Please visit our website at [www.maricopa.gov/envsvc](http://www.maricopa.gov/envsvc) to view the complete Food Code document.

# FDA Update: ALERT

## Questions & Answers

The **ALERT** initiative is intended to raise the awareness of state and local government agency and industry representatives regarding food defense issues and preparedness. It is generic enough to apply to all aspects of the farm-to-table supply chain and is designed to spark thought and discussion with a variety of stakeholders. **ALERT** identifies five key points that industry and businesses can use to decrease the risk of intentional food contamination at their facility. This brochure provides additional background information in support of each letter of the **ALERT** acronym.

**A**      *How do you **ASSURE** that the supplies and ingredients you use are from safe and secure sources?*

### **Know your suppliers.**

Use only known, appropriately licensed or permitted (where applicable) contract manufacturing and packaging operators and sources for all incoming materials, including ingredients, compressed gas, packaging, labels, and materials for research and development.

### **Encourage your suppliers to practice food defense measures.**

Take reasonable steps to ensure that suppliers, contract operators and transporters practice appropriate food defense measures (for example, auditing, where practical, for compliance with food security measures that are contained in purchase and shipping contracts or letters of credit, or using a vendor approval program).

### **Request locked and/or sealed vehicles/containers/railcars.**

If sealed, obtain the seal number from the supplier and verify upon receipt, making arrangements to maintain the chain of custody when a seal is broken for inspection by a governmental agency or as a result of multiple deliveries.

### **Supervise off-loading of incoming materials.**

The supervision of incoming materials should pertain to deliveries that occur during normal business hours, as well as deliveries that occur during off hours.

**L**      *How do you **LOOK** after the security of the products and ingredients in your facility?*

### **Implement a system for handling products.**

Have a system for receiving, storing, and handling distressed, damaged, returned, and rework products that minimizes their potential for being compromised or to compromise the security of other products (for example, destroying products that are unfit for human or animal consumption, products with illegible codes, products of questionable origin, and products returned by consumers to retail stores).

### **Track materials.**

Keep track of incoming materials and materials in use, including ingredients, compressed gas, packaging, labels, salvage products, rework products, and product returns.

### **Store product labels in a secure location and destroy outdated or discarded product labels.-**

### **Limit access and inspect facilities.**

Limit, to the extent possible, and conduct random inspections, on facilities such as, storage and handling facilities, vessels, vehicles, access to controls for airflow, water, electricity, and refrigeration.

### **Keep track of finished products. Encourage your warehousing operations to practice food defense measures.**

Ensure that public storage warehousing and shipping operations (vehicles and vessels) practice appropriate security measures (for example, auditing, where practical, for compliance with food security measures that are contained in contracts or letters of guarantee).

**E** *What do you know about your **EMPLOYEES** and people coming in and out of your facility?*

**Conduct background checks on staff.**

Examine the background of all staff (including seasonal, temporary, contract, and volunteer staff, whether hired directly or through a recruitment firm) as appropriate to their position, considering candidates access to sensitive areas of the facility and the degree to which they will be supervised.

**Know who belongs in your facility.**

Know who is and who should be on premises, and where they should be located, for each shift. Provide an appropriate level of supervision to all staff, including cleaning and maintenance staff, contract workers, data entry computer support staff, and especially, new staff.

**Establish an identification system for employees.**

Establish a system of positive identification and recognition that is appropriate to the nature of the workforce (for example, issuing uniforms, name tags, or photo identification badges with individual control numbers, color coded by area of authorized access), when appropriate.

**Limit access by staff.**

Limit access so staff enters only those areas necessary for their job functions and only during appropriate work hours (for example, using key cards or keyed or cipher locks for entry to sensitive areas, or color coded uniforms).

**Prevent customer's access to critical areas of your facility.**

Prevent customer's access to food preparation and storage and dishwashing areas in the non-public areas of the establishment, including loading docks.

**R** *Could you provide **REPORTS** about the security of your products while under your control?*

**Periodically evaluate the effectiveness of your security management system.**

Review and verify, at least annually, the effectiveness of the security management program (for example, using knowledgeable in-house or third party staff to conduct tampering or other malicious, criminal, or terrorist action exercises and mock recalls and to challenge computer security systems), revising the program accordingly, and keeping this information confidential.

**Perform random food defense inspections.**

Perform random food defense inspections of all appropriate areas of the facility (including receiving and warehousing, where applicable) using knowledgeable in-house or third party staff, and keeping this information confidential.

**Establish and Maintain Records**

On December 9, 2004, FDA issued a final rule that requires the establishment and maintenance of records by persons who manufacture, process, pack, transport, distribute, receive, hold, or import food in the United States. Such records are to allow for the identification of the immediate previous sources and the immediate subsequent recipients of food. The final rule implements Section 306 of the Public Health Security and Bioterrorism Preparedness and Response Act of 2002 (See 69 FR 71562; December 9, 2004 (<http://www.cfsan.fda.gov/~dms/frrecord.html>)).

**Evaluate lessons learned.**

Evaluate the lessons learned from past tampering or other malicious, criminal, or terrorist actions and threats.

**T** *What do you do and who do you notify if you have a **THREAT** or issue at your facility, including suspicious behavior?*

**Hold any product that you believe may have been affected.**

**Contact the Food and Drug Administration**

If a food establishment operator suspects that any of his/her products that are regulated by the FDA have been subject to tampering, "counterfeiting," or other malicious, criminal, or terrorist action, FDA recommends that he/she notify the FDA 24-hour emergency number at 301-443-1240 or call their local FDA District Office. FDA District Office telephone numbers are listed at: [http://www.fda.gov/ora/inspect\\_ref/om/iomoradir.html](http://www.fda.gov/ora/inspect_ref/om/iomoradir.html). FDA recommends that the operator also notify appropriate law enforcement and public health authorities.

**Additional ALERT information can be found at [www.cfsan.fda.gov/alert](http://www.cfsan.fda.gov/alert)**

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Mailing Address Line 1  
Mailing Address Line 2  
Mailing Address Line 3  
Mailing Address Line 4  
Mailing Address Line 5



**Maricopa County**

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## **Maricopa County Environmental Services (MCESD)**

### **Vision**

MCESD will provide essential, regional environmental services seeking excellence in the most fiscally responsible manner.

### **Mission**

The mission of MCESD is to provide effective environmental management to the people